

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
WEDNESDAY, MARCH 16, 1983

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, March 16, 1983 in the City Hall Council Chambers.

ROLL CALL Present: Council Members - Murphy, Olson, Pinkerton, Snider, and Reid (Mayor)

Absent: Council Members - None

Also Present: City Manager Glaves, Assistant City Manager Glenn, Community Development Director Schroeder, Public Works Director Ronsko, City Attorney Stein, and City Clerk Reimche

INVOCATION The invocation was given by Pastor Ron Greilich, Salem United Methodist Church

PLEDGE The Pledge of Allegiance was led by Mayor Reid

PRESENTATIONS There were no presentations made at this meeting

REPORTS OF THE CITY MANAGER

CONSENT CALENDAR

In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Pinkerton, Murphy second, approved the following actions hereinafter set forth.

CLAIMS *3/16/83* CLAIMS WERE APPROVED IN THE AMOUNT OF \$799,824.70

MINUTES THE MINUTES OF MARCH 2, 1983 WERE APPROVED AS WRITTEN.

ELIMINATION OF
LIMITED PARKING
ON OAK STREET

Council was apprised that the following letter had been received from Mike Lapenta:

"This request is to change a present 2-hour parking zone into a 8-hour parking zone. It concerns the dead-end of the 0 (zero) block of West Oak Street, bound on the East by the S.P. Railroad; on the West by Sacramento Street; on the North by the S.P. lot; and on the South by Discount Tires.

This area contains six parking spaces. By replacing this present 2-hour zone to a 8-hour zone, the area will allow six downtown employees to park all day without any hinderance to customers."

Council was informed by Staff that there are now six marked parallel stalls with a 2-hour limit on this portion of Oak Street. The elimination of the 2-hour time limit will provide all day parking with a maximum of 12 hours. Council adopted the following resolution:

RES.NO. 83-16

RESOLUTION NO. 83-16

COUNCIL ADOPTED RESOLUTION NO. 83-16 AUTHORIZING THE ELIMINATION OF THE 2-HOUR LIMITED PARKING RESTRICTION ON OAK STREET BETWEEN SACRAMENTO STREET AND THE SOUTHERN PACIFIC RIGHT-OF-WAY.

The Engineering Division and Parking Patrol units will observe parking usage on the street after the change. If it is determined that the area is misused, Staff will return

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with a recommendation to install 5-hour parking in keeping with other areas in the downtown area.

City Manager Graves presented the following bids which had been received for the Salas Park Concession Stand, Concrete Flatwork:

<u>BIDDER</u>	<u>BID</u>
H. Max Lee, Inc.	\$17,323.00
James Anderson & Sons	18,275.00
Bruno Da Re, Co.	18,537.00
Abee Construction Co.	18,567.40
San Joaquin Construction Co.	18,598.00
Case Construction	19,712.00
Popuch Concrete Contracting	20,161.60
Town and Country Contractor's	22,200.00
Allan Askew - Can Do	23,212.00

AWARD - SALAS
PARK CONCESSION
STAND, CONCRETE
FLATWORK

On recommendation of the City Manager, Council adopted the following Resolution:

RES.NO. 83-17

RESOLUTION NO. 83-17

RESOLUTION AWARDED THE BID FOR "SALAS PARK CONCESSION STAND, CONCRETE FLATWORK" TO H. MAX LEE, THE LOW BIDDER, IN THE AMOUNT OF \$17,323.00.

Council was apprised that the Department of Transportation is in the process of updating all of the various Federal Aid Systems in the State for the Federal Government. The last determination of functional usage in the City was shortly after the 1970 census. Since that time, the City of Lodi has expanded its boundaries and road system and, as a consequence, there are some changes that need to be made. A sample resolution covering the new system was presented to the Council with exhibits indicating the changes. The exhibits have been reviewed by CAL TRANS going to the County and C.O.G. for confirmation that all the various systems in the cities and county are coordinated. Designation of the various streets as FAU routes is based on usage, the General Plan, and criteria established by the Federal Government. The designation of additional streets will broaden our choices on which streets FAU funds can be spent.

FEDERAL AID
SYSTEM
RES.NO. 83-18

COUNCIL ADOPTED RESOLUTION NO. 83-18 DETERMINING THE URBAN LIMITS, THE FUNCTIONAL CLASSIFICATION OF ROADS WITHIN THOSE URBAN LIMITS, AND DESIGNATING CERTAIN ROADS TO BE IN THE FEDERAL AID SYSTEM.

Council was apprised that the reconstruction of curb and gutter in Howard Street between Lake Street and Holly Drive was approved in the 1982-83 Capital Improvement Budget with an estimated expenditure of \$13,000.00

In general, the work consists of replacing broken curb and gutter and installing wheelchair ramps at the intersection of Howard Street and Holly Drive. During the design of the project it was determined that additional curb and gutter replacement is needed on the south side of Holly Drive east and west of Howard Street and that a catch basin is needed. This additional work is included in the project, and additional funds will be requested at the time of award. The total cost of the project excluding the overlay is estimated at \$23,000.00

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SPECS APPROVED
FOR HOWARD
STREET CURB
AND GUTTER
REPLACEMENT LAKE
STREET TO HOLLY DRIVE

COUNCIL APPROVED THE PLANS AND SPECIFICATIONS FOR "HOWARD STREET CURB AND GUTTER REPLACEMENT, LAKE STREET TO HOLLY DRIVE" AND AUTHORIZED THE CITY CLERK TO ADVERTISE FOR BIDS THEREON.

Council was apprised that the construction of the Lawrence Park restrooms was approved in the 1982-83 Capital Improvement Budget with an estimated expenditure of \$70,000. In general the work consists of construction of an 800 SF structure providing for adequate men and women restroom facilities and approximately 300 SF of storage. The existing restroom structure will be used for storage.

PLANS AND SPECS FOR LAWRENCE PARK PARK RESTROOMS" AND AUTHORIZED THE CITY CLERK TO ADVERTISE RESTROOMS APPRVD FOR BIDS THEREON.

PUBLIC HEARINGS THERE WERE NO PUBLIC HEARINGS SET FOR THIS MEETING

PLANNING
COMMISSION

The following report was given regarding the Planning Commission Meeting of February 28, 1983:

The Planning Commission -

ITEMS OF
INTEREST

1. Determined that a Zoning Hardship existed and approved the request of Lodi Fab Industries, Inc., for a Zoning Variance to reduce the required 10' rear yard to 0' to permit the construction of a new employees lunchroom and locker facility at 1029 South Sacramento Street in an area zoned M-2, Heavy Industrial.
2. Continued until March 14, 1983 consideration of the request of Lodi Schwinn for a Zoning Variance to increase the maximum sign allowance at 11 South Church Street in an area zoned C-2, General Commercial.
3. Discussed the final plans for the League of California Cities', Planning Commissioners Institute scheduled for Monterey, March 2, 3, and 4, 1983.

COMMUNICATIONS

CITY CLERK

The City Clerk presented the following applications for Alcoholic Beverage License(s):

ABC LICENSE(S)

- a) Four Seasons Catering, Inc.
Richard John Leonardini, et al
Leonardini's Restaurant and Deli
119 East Pine Street
Lodi, California
On Sale Beer and Wine Eating Place

City Clerk Reimche apprised the Council that a letter had been received from the San Joaquin County Board of Supervisors asking for Lodi's support regarding the Metropolitan Airport Jet Service provided by Pacific Express and the concept of developing a regional airport.

COUNCIL SUPPORTS
METROPOLITAN
AIRPORT JET
SERVICE PROVIDED

Following discussion, Council, on motion of Council Member Olson, Murphy second, directed the City Clerk to send a letter to the San Joaquin County Board of Supervisors supporting the Metropolitan Airport jet service provided by

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BY PACIFIC
EXPRESS AND
CONCEPT OF
DEVELOPING A
REGIONAL AIRPORT
FOR ALL COMMUNITIES
WITHIN STANISLAUS
AND SAN JOAQUIN
COUNTIES

Pacific Express and the concept of developing a regional airport for all communities within Stanislaus and San Joaquin Counties.

LETTER AND
RESOLUTION
RECEIVED FROM
CITY OF FREMONT
URGING SUPPORT
OF SCA-2

City Clerk Reimche presented a letter and resolution of the City Council of the City of Fremont urging support of SCA-2 which would establish in the State Constitution the right of every person, except a felon, a person found by law to be mentally incompetent, or a minor to own firearms in defense of his or her person. No action was taken by the Council on the matter.

LODI UNIFIED
SCHOOL DISTRICT
ACCEPTS BID OF
WALTER FLOWER
FOR EAST TWENTY
FEET OF THE
HERITAGE SCHOOL
SITE

City Clerk Reimche presented a letter received from Mamie Starr, Facility Planner for the Lodi Unified School District apprising the Council that on March 1, 1983, the Lodi Unified School District Board of Trustees adopted Resolution No. 83-3 accepting the bid of Walter Flower for the east twenty feet of the Heritage School Site and authorizing the execution and delivery of the grant deed.

LODI ARTS
COMMISSIONER
BILL CHAPMAN
RESIGNS

City Clerk Reimche presented a letter of resignation received from Lodi Arts Commissioner Bill Chapman. On motion of Mayor Pro Tempore Murphy, Olson second, the City Clerk was directed to make the required postings to fill this vacancy.

RESOLUTION OF
APPRECIATION FOR
RETIRING COUNTY
ADMINISTRATOR
DIXON ADOPTED

Council, on motion of Council Member Snider, Murphy second, adopted a Resolution of Appreciation for retiring County Administrator, Charles E. (Chuck) Dixon.

The City Clerk presented the following letter which had been received from Ken Boyd, Chairman of the Old LHS Site Foundation:

"The Old Lodi Union High School Site Foundation has approved the concept of reviewing and updating the 1981 Master Plan Design as initiated by the Lodi Design Group. To that end, we ask to have current input from City of Lodi staff regarding the various buildings and potential programs that are envisioned at the Hutchins Street Square Site.

Further, the Foundation would like to see an increased level of participation and review from community support groups that work closely with city staff, including the Boosters of Boys Sports and the Lodi Arts Commission. Perhaps during this analysis by staff these groups could be contacted for input.

We would like a review to be complete and submitted to the Foundation Board by June 1, 1983. We realize the time frame is short, however, we need updated information to allow the recently appointed Task Force Committee to complete their study of potential financing alternatives.

We certainly appreciate the time and efforts this Council and the community have spent in redeveloping the Hutchins Street Square."

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HUTCHINS STREET
SQUARE ANALYSIS
REQUESTED

Following discussion, Council, on motion of Council Member Snider, Olson second, directed the City Staff to provide current input regarding the various buildings and potential programs that are envisioned at the Hutchins Street Square Site and to seek the cooperation of the Boosters of Boys Sports, the Lodi Arts Commission, and the Recreation Commission for their input in this analysis.

COMMENTS BY
CITY COUNCIL
MEMBERS

DAVID VACCAREZZA
APPOINTED TO
LODI ECONOMIC
DEVELOPMENT
COMMISSION

On motion of Mayor Reid, Murphy second, Council concurred with Mayor Reid's appointment of David Vaccarezza to fill the unexpired term of City of Lodi Economic Development Commissioner, Norbert Hyske, which term expires February 19, 1985.

NATIONAL LEAGUE
OF CITIES 1983
CONGRESSIONAL -
CITY CONFERENCE

Council Member Pinkerton expressed his concern that the National League of Cities Board of Directors is dominated by large eastern cities whose philosophy is not the same as that of small cities. Additional comments regarding the subject were added by Mayor Pro Tempore Murphy and Council Member Snider.

Mayor Pro Tempore Murphy further advised the Council that while attending the National League of Cities 1983 Congressional-City Conference in Washington, D.C., both he and Council Member Snider had attended a session on Cable Television.

COMMENTS BY THE
PUBLIC ON NON
AGENDA ITEMS

Dennis Lewis, President of the Lodi Police Officer's Association addressed the Council urging Council to support various pieces of pending legislation; namely, SB34, AB187, and SB637. Further, Mr. Lewis thanked the Council for ratifying the recent Police Unit Contract and for authorizing the hiring of additional sworn personnel. Mr. Lewis also thanked Councilman Murphy and Councilman Snider in co-signing a letter with the Police Association and people against child abuse to Governor George Dukemejian requesting the Governor's presence at the benefit to be held in June for support of the prevention of child abuse.

REPORTS OF THE
CITY MANAGER

REGULAR CALENDAR

Agenda item K-1 - "Clarification of Garbage and Rubbish Ordinance" was introduced by City Manager Graves. The City Manager explained the existing City ordinances and responded to questions as were posed by the Council.

CLARIFICATION
OF GARBAGE AND
RUBBISH ORDINANCE

Also addressing the Council on the subject were:

- a) Mr. George Bruns, representing Central Valley Disposal Service.
- b) Mr. David Vaccarezza, Sanitary City Disposal Company.

A lengthy discussion followed with questions being directed to Staff and to the City Attorney.

On motion of Mayor Pro Tempore Murphy, Olson second, Council referred the matter back to staff for additional information and further clarification.

City Attorney Stein stated that he would appreciate receiving input from all of the involved parties.

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City Manager Graves apprised the Council that since the removal of the parking meters in September of last year, the City's Parking Enforcement Assistants are writing the majority of parking tickets based upon violations of time zones. This requires the chalking or marking of tires in parking lots and on the streets. In performing this part of their job, the City's Parking Enforcement Assistants have observed some citizens wiping the chalk marks off of their tires. Even some downtown merchants have observed this practice and have complained to our office. Under our existing parking ordinances there are no provisions to prevent this interference or to fine violators.

Since this is an ongoing problem the only recourse the City has is to add the following to Section 14-84 of the Lodi Municipal Code, Section 14-84:

Enforcement; issuing citations;
payment of fines; OBSTRUCTION OR
INTERFERENCE.

- e) No person shall interfere with or obstruct in any way any police officer or other officer or employee of this City in their enforcement of the provisions of this division. The removal, obliteration or concealment of any chalk mark or other distinguishing mark or object used by any police officer or other employee or officer of this City in connection with the enforcement of the parking regulations of this ordinance shall, if done for the purpose of evading the provisions of this ordinance, constitute such interference or obstruction.

Council was informed that the above language has been borrowed from the League's "Model Parking Ordinance" and is similar to what the City of Stockton has in their municipal code. The Municipal Court would have the basis to establish the fine for this violation.

AMENDMENT TO
PARKING
ENFORCEMENT
ORDINANCE
APPROVED

Following discussion, Council, on motion of Council Member Pinkerton, Olson second, introduced Ordinance No. 1285 amending Section 14-84 of the Lodi Municipal Code - Enforcement; issuing citations; payments of fines; OBSTRUCTION OR INTERFERENCE with the addition of the following section:

ORD.NO.1285
INTRODUCED

- e) No person shall interfere with or obstruct in any way any police officer or other officer or employee of this City in their enforcement of the provisions of this division. The removal, obliteration or concealment of any chalk mark or other distinguishing mark or object used by any police officer or other employee or officer of this city in connection with the enforcement of parking regulations of this ordinance shall, if done for the purpose of evading the provisions of this ordinance, constitute such interference or obstruction.

The motion was carried by unanimous vote.

Agenda item K-3 - "Discussion of request for modification of Well #17 Agreement" was introduced by Public Works Director Ronsko who presented a diagram of the subject area.

MODIFICATION
OF WELL 17
AGREEMENT
APPROVED

Mr. Stewart C. Adams, Jr., 816 Evert Court, Lodi, spoke on behalf of his request and responded to questions as were posed by the Council.

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A lengthy discussion followed with questions being directed to Staff and to Mr. Adams. Council Member Olson moved that Mr. Adams be allowed to build his swimming pool as proposed; that ownership of the subject property be retained by the City; that the conditions be incorporated into the Agreement whereby Mr. Adams would have the first right of refusal if the City would ever elect to sell the property. The motion died for lack of a second.

Following additional discussion, Council, on motion of Council Member Snider, Olson second, agreed to enter into a lease agreement with Mr. Stewart C. Adams, Jr., whereby the City agrees to lease to Mr. Adams a portion of Well 17 site parcel and directed the City Attorney to work with Mr. Adams to formulate the terms of the subject agreement so as to protect both parties involved. The motion carried by unanimous vote.

SOFTBALL
CONCESSION
CONTRACT
EXTENDED

Following introduction of the matter by City Manager Glaves, Council, on motion of Council Member Snider, Murphy second, extended for one year the Softball Concession Contract with Shirley Michaeloff and directed the Mayor and City Clerk to execute the subject extension on behalf of the City.

BASIN LOCATION
IN G DRAINAGE
AREA DETERMINED

Agenda item K-5 - "Determination of basin location in G Drainage Area" was introduced by City Manager Glaves. Council had, at an earlier Informal Informational Meeting (Shirtsleeve Session), reviewed the "G-Area Storm Drain Basin Study" as prepared by the City of Lodi Public Works Department.

The study evaluated two alternate storm drain basin/pipe systems to serve the G-area. Alternate A consists of two basins--G-north and G-south, and Alternate B consists of one larger basin located at the G-south site. The pipe systems are similar except the main line between G-north and G-south is substantially larger in Alternate B due to the elimination of G-north Basin.

The study procedure involved the following:

- 1) Determined basic engineering criteria and making various assumptions or decisions to insure the comparisons are done on an equal basis.
- 2) Designing the alternate systems - basin size/depth and pipe sizes.
- 3) Making cost estimates of the system excluding land costs.
- 4) Determining total system cost versus variable land costs.
- 5) Preparation of draft written report.
- 6) In-house technical review.
- 7) Outside review by interested consulting engineers.
- 8) Preparation of the final report.

The study concluded that from a simple total cost standpoint, Alternate B - the combined system is slightly favorable over Alternate A - two basins. When other considerations such as construction staging and park/open space are taken into account, Alternate A is more advantageous.

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From an engineering standpoint, either Alternate will perform the drainage functions for which they are designed. The Public Works Department made no recommendation on either Alternate.

Mr. Glen Baumbach, of Baumbach and Piazza, 323 West Elm Street, Lodi, and Mr. Kenneth Glantz, 1150 West Robinhood Drive, Stockton, addressed the Council indicating that they favored the single basin concept.

Following discussion, on motion of Mayor Pro Tempore Murphy, Olson second, Council selected Alternate B which consists of one larger basin located at the G-south site.

ADJOURNMENT

There being no further business to come before the Council Mayor Reid adjourned the meeting at approximately 9:40 p.m.

Attest:

Alice M. Reimche
Alice M. Reimche
City Clerk